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January 17, 2006

BY E-FILING
The Honorable Judith Dein
U.S. District Court Clerk's Office
United States District Court for
District of Massachusetts
One Courthouse Way
Boston, MA 02210

> Re:    Tricore, Inc. v. Safeco Insurance Company of America, et al.
>        U.S. District Court Civil Action No. 04-12393-JGD

Dear Judge Dein:

On behalf of the Plaintiff Tricore, Inc. ("Tricore"), we respectfully submit this letter in response to the Court's Order of January 5, 2006, requesting that the Plaintiff submit notification to this Honorable Court as to whether it is requesting an evidentiary hearing on the issue of the status of settlement and to identify any witnesses it intends to call. Tricore wishes to inform the Court that it does reluctantly desire an evidentiary hearing on all issues relating to the Defendant Safeco Insurance Company of America's Motion to Enforce Settlement Agreement. Tricore also wishes to inform the Court that it intends to call the following individuals as witnesses at the evidentiary hearing:

1. Paul Jacobson, President, Tricore, Inc.;
2. Patty Catanese, Safeco Insurance Company of America;
3. Ira E. Sussman, Chicago Surety Claims, Safeco Insurance Company of America;
4. Jonathan Burwood, Esq., counsel to Safeco Insurance Company of America; and
5. Edward D. Kutchin, Esq., counsel to Tricore, Inc.

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Thank you in advance for your courtesy and cooperation with this matter.


Very truly yours,

/s/  Edward D. Kutchin

Edward D. Kutchin


EDK/mab

cc:    Bradford Carver, Esquire (via email)
       David M. Campbell, Esquire (via email)
       Dennis R. Cavanaugh, Esquire (via email)
       Jonathan C. Burwood, Esquire (via email)
       Paul Jacobson, President (via email)
        Tricore, Inc.

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